A1 having the characteristics of lead.

3. The improved cap in claim 1, wherein the leg member further comprises a pointed end having shoulder members for adhering within the sealant material.

4. The improved cap in claim 1, wherein the plurality of ridges and channels on the underside of the cap portion define a means for adhering to the fluidized sealant and the upper portion of the adjacent blocks for withstanding movement and preventing damage to the sealed joint.

5. The improved cap in claim 1, wherein the cap may be positioned to seal a joint between horizontal and vertical surfaces.

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6. (Amended) An improved cap for sealed joints between adjacent building members, comprising:

a) a flexible body member, comprising a first cap portion having a first smooth upper surface, an undersurface, and a leg portion extending down from the undersurface;

b) a plurality of ridges positioned on the undersurface of the cap portion, defining a plurality of channels there between, the plurality of ridges and channels increasing the surface area on the underside of the cap by around 50% for the sealant to adhere to, thus strengthening the seal between the cap and the concrete or stone blocks the cap is set upon;

c) fluidized sealant material placed within the joint between the adjacent building members;

d) the leg portion insertable into the fluidized sealant material to a depth so that the underside of the cap portion imbeds into the sealant material for providing a sealed connection between the underside of the cap and the fluidized sealant material residing in the joint and on surfaces of the adjacent blocks.

7. (Amended) The improved cap in claim 6, wherein the sealant material comprises caulking.

8. (Amended) The improved cap in claim 6, wherein the underside of the cap increases

A2 the area for the sealant to adhere to, improving bonding between the cap and the stones and strengthening the seal between the two.

9. The improved cap in claim 6, wherein the cap comprises a continuous strip of flexible material extending uninterrupted over the joint which needs to be sealed.

10. A method of sealing a joint between adjacent building blocks, comprising the following steps:

a) filling the joint with a fluidized sealing material such as caulking;

b) providing a cap, the cap having a cap portion and a downward depending leg portion;

c) inserting the leg portion down in to the fluidized sealing material to a point that an underside of the cap portion makes sealing contact with the fluidized sealing material;

d) providing a plurality of ridges, which define a plurality of channels there between on an underside of the cap portion, the ridges and channels increasing the area on the underside of the cap for the sealant to adhere to, improving the bond between the cap and the stones and strengthening the seal between the two.

11. The method in claim 10, further comprising the step of removing the excess sealant material from around the cap before the sealant completely sets.

12. The method in claim 10, the insertion of the leg portion of the cap down into the sealing material decreases the size of a joint by one half therefore defining two joint spaces, rather than a single space.--

REMARKS

This is in response to the office action dated March 7, 2002. There are presently twelve claims pending in the case and all the claims are rejected. In this response, claims 2, 6, 7 and 8 have been amended in order to place the case in condition for allowance.

In the office action, the Examiner has rejected certain claims under 35 U.S.C. § 112. Applicant has reviewed these claims and has made the necessary amendments to the claims in order to comply with § 112 of the statute.

Further, the Examiner rejected claims 1-12 under 35 U.S.C. § 103 (a) as being unpatentable over Marble in view of Richter. Applicant acknowledges the rejections of the